

MARK CHRISTIANS #35285

Name and Prisoner/Booking Number

JAMESON ANNEX - SDSP

Place of Confinement

PO BOX 5911

Mailing Address

SIoux FALLS, SD 57117

City, State, Zip Code

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

MARK ANTHONY CHRISTIANS

(Full Name of Plaintiff)

Case No. 22-cv-4072

(To be supplied by the Clerk)

Plaintiff,

vs.

NANCY CHRISTENSEN, LAURIE STRAMM,

CIVIL RIGHTS COMPLAINT  
BY A PRISONER

DARIN YOUNG, JESSICA COOK, DEREK EKEREN,  
ANGELA  
JENNIFER DRIESKE, PECHOWS, GENIE BIRCH,

☒ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

GREASMAN, BARNETTE, MARTINA, WINTERS,  
(Full Name of Each Defendant)

MULLINS, HULSCHER, DAWN ALUMBUGH, LIEUTENANTS BECKER, LT. HETTING,  
FORMER LT. PERRET, Defendants. BETH, SUMMIT FOOD SERVICE, SETH HUGHES  
CATHY WYNIA

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- a. ☒ 28 U.S.C. § 1343(a)(3); 42 U.S.C. § 1983
- b. ☐ 28 U.S.C. § 1331; *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).
- c. ☐ Other: (Please specify.) \_\_\_\_\_

2. Name of Plaintiff: MARK CHRISTIANS

Present mailing address: SDSP-JAMESON ANNEX PO BOX 5911 SIOUX FALLS SD 57117

(Failure to notify the Court of any change of address may result in dismissal of this action.)

Institution/city where violation occurred:

SOUTH DAKOTA STATE PENITENTIARY  
JAMESON ANNEX - SIOUX FALLS  
MIKE DURFEES STATE PRISON - SPRINGFIELD

3. Name of first Defendant: NANCY CHRISTENSEN. The first Defendant is employed as:  
RETIRED UNIT MANAGER at MIKE DUFFEE STATE PRISON.  
 (Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: EMPLOYEE OF STATE

4. Name of second Defendant: LAURIE STRATMAN. The second Defendant is employed as:  
UNIT COORDINATOR at MIKE DUFFEE STATE PRISON.  
 (Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: EMPLOYEE OF STATE

5. Name of third Defendant: DARIN YOUNG. The third Defendant is employed as:  
TERMINATED WARDEN at SDSP.  
 (Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: EMPLOYEE OF STATE

6. Name of fourth Defendant: JESSICA COOK. The fourth Defendant is employed as:  
ASSOCIATE WARDEN at SDSP.  
 (Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: EMPLOYEE OF STATE

(If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.)

## B. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If your answer is "yes," how many lawsuits have you filed? ONE. Describe the previous lawsuits in the spaces provided below.
3. First prior lawsuit:
  - a. Parties to previous lawsuit:  
 Plaintiff: ~~DAVID J. COOK, ET AL~~ MARK CHRISTIAN

DEREK EKKEN - UNIT MANAGER AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

JENNIFER DRIESKE - TERMINATED DEPUTY WARDEN AT SDSD - INDIVIDUAL  
AND OFFICIAL - STATE EMPLOYEE

ANGELA PERCHUS - UNIT ~~MANAGER~~ COORDINATOR AT JAMESON -  
INDIVIDUAL AND OFFICIAL - STATE EMPLOYEE

SETH HUGHES - UNIT MANAGER AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

GENIE BIRCH - UNIT CASE MANAGER AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

GREASEMAN - CO AT JAMESON - INDIVIDUAL AND OFFICIAL  
STATE EMPLOYEE

BARNETTE - CO AT JAMESON - INDIVIDUAL AND OFFICIAL -  
STATE EMPLOYEE

MIRJANA - CO AT JAMESON - INDIVIDUAL AND OFFICIAL  
STATE EMPLOYEE

WINTERS - CO AT JAMESON - INDIVIDUAL AND OFFICIAL -  
STATE EMPLOYEE

MULLINS - CO AT JAMESON - INDIVIDUAL AND OFFICIAL  
STATE EMPLOYEE

HULSCHER CO AT JAMESON - INDIVIDUAL AND OFFICIAL  
STATE EMPLOYEE



DAWN ALUMBAUGH - CO AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

LIEUTENANT BECKER - LT. AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

LIEUTENANT HETTING - LT. AT JAMESON - INDIVIDUAL AND OFFICIAL -  
STATE EMPLOYEE

FORMER LT. PERRET - LT. AT JAMESON - INDIVIDUAL AND OFFICIAL -  
STATE EMPLOYEE

BETH - SUMMIT SUPERVISOR AT JAMESON - INDIVIDUAL AND  
OFFICIAL - STATE CONTRACTOR EMPLOYEE

SUMMIT FOOD SERVICE - FOOD PROVIDER AT JAMESON - INDIVIDUAL  
AND OFFICIAL - STATE CONTRACTOR

CATHY WYNIA - SPECIAL SECURITY AT SOS - INDIVIDUAL AND  
OFFICIAL - STATE EMPLOYEE

Defendants: DARRIN YOUNG, ET AL.

b. Court: (If federal court, identify the district; if state court, identify the county.) \_\_\_\_\_

SOUTHERN DISTRICT OF SOUTH DAKOTA

c. Case or docket number: 4:20-CV-04083-LLP

d. Claims raised: FIRST AND EIGHTH AMENDMENT

e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

STILL PENDING

f. Approximate date lawsuit was filed: NOV. 3, 2020

g. Approximate date of disposition: STILL PENDING

4. Second prior lawsuit:

a. Parties to previous lawsuit:

Plaintiff: \_\_\_\_\_

Defendants: \_\_\_\_\_

b. Court: (If federal court, identify the district; if state court, identify the county.) \_\_\_\_\_

c. Case or docket number: \_\_\_\_\_

d. Claims raised: \_\_\_\_\_

e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

f. Approximate date lawsuit was filed: \_\_\_\_\_

g. Approximate date of disposition: \_\_\_\_\_

5. Third prior lawsuit:

a. Parties to previous lawsuit:

Plaintiff: \_\_\_\_\_

Defendants: \_\_\_\_\_

b. Court: (If federal court, identify the district; if state court, identify the county.) \_\_\_\_\_

c. Case or docket number: \_\_\_\_\_

d. Claims raised: \_\_\_\_\_

e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

f. Approximate date lawsuit was filed: \_\_\_\_\_

g. Approximate date of disposition: \_\_\_\_\_

(If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.)

### C. CAUSE OF ACTION

#### COUNT I

1. The following constitutional or other federal right has been violated by the Defendant(s): \_\_\_\_\_

FIRST AND FOURTEENTH AMENDMENTS

EIGHTH AMENDMENT

2. Count I involves: (Check **only one**; if your claim involves more than one issue, each issued should be stated in a different count)
- |                                                        |                                                 |                                               |
|--------------------------------------------------------|-------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Medical care                  | <input type="checkbox"/> Access to the court    | <input type="checkbox"/> Mail                 |
| <input type="checkbox"/> Disciplinary proceedings      | <input checked="" type="checkbox"/> Retaliation | <input type="checkbox"/> Exercise of religion |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety       | <input type="checkbox"/> Property             |
| <input type="checkbox"/> Other: _____                  |                                                 |                                               |

3. **Supporting Facts:** (State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do to violate your rights. State the facts clearly in your own words without citing legal authority or arguments).

NANCY CHRISNENSEN TOLD ME SHE WOULD KILL ME IF I FILED ANYMORE FOOD GRIEVANCES BECAUSE I WAS MAKING HER LIFE DIFFICULT AND IT WOULD BE EASIER TO GET RID OF ME. WHEN I ASKED HER HOW SHE WOULD KILL ME SHE SAID SHE WOULD PUT POISON IN MY COFFEE OR POWDERED MILK AND THAT SHE KNEW WHERE I KEPT THEM IN MY ROOM. LAURIE STRATMAN SAID SHE WOULD FIND A WAY TO GET RID OF ME IF I DIDNT STOP FILING GRIEVANCES ON THE FOOD. WHEN CHARGED WITH AN H-7 DISCIPLINARY REPORT BOTH DARIN YOUNG AND JESSICA COOK TOLD ME I WAS CHARGED BECAUSE I WAS FILING TOO MANY GRIEVANCES ON THE FOOD AND I HAD TO BE INVOLVED. DEREK EKEREN SAID HE THREW AWAY MY JOB APPLICATION BECAUSE I FILED A GRIEVANCE ON HIM AND SAID HE WOULD MAKE SURE I DIDNT GET A JOB AT D.F. AFTER FILING GRIEVANCES EKEREN BEGAN TO CHOKER ME IN HIS OFFICE WITH BOTH HANDS AROUND MY THROAT.

4. **Injury:** (State how you have been injured by the actions or inactions of the Defendant(s)).

I WAS PREVENTED FROM EARNING A MINIMUM WAGE JOB MAKING \$15.00 AN HOUR OR MORE AND WAS ASSAULTED TO THE POINT I LOST CONSCIOUSNESS.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Count I? ☒ Yes ☒ No
- Did you appeal your request for relief on Count I to the highest level? ☒ Yes ☒ No
- If you did not submit or appeal a request for administrative relief to the highest level, briefly explain why you did not. I WAS THREATENED WITH MANY FORMS OF VIOLENCE AND RETALIATION AND WAS SCARED FOR MY LIFE. I DID FILE GRIEVANCES ON THE H-7 WRITE UP.



COUNT 1

WHEN I LOST CONSCIOUSNESS AND CAME TO EKEREN SAID NEXT TIME HE WOULD KILL ME IF I FILED ANOTHER GRIEVANCE. JESSICA COOK SAID SHE WOULD MAKE SURE I NEVER GOT A JOB AT P.I. BECAUSE I FILED TOO MANY GRIEVANCES. JENNIFER DRIESKE SAID SHE WOULD MAKE SURE I GOT TRANSFERRED TO AN OUT OF STATE PRISON WHERE INMATES GET STABBED. DARIN YOUNG TOLD ME HE WOULD TRANSFER ME TO A PRISON WHERE I WOULD BE KILLED OVER FOOD. SETH HUGHES ALSO SAID I WOULD BE TRANSFERRED TO A MUCH MORE DANGEROUS PRISON IF I DIDN'T STOP MY FOOD PROTESTS. <sup>IN APRIL 2021,</sup> CATHY WYNN WROTE ME REPORT ON CHRISMAN'S WITH NO EVIDENCE OTHER THAN WHEN SHE QUESTIONED CHRISMAN'S ABOUT HIS FOOD GRIEVANCES AND LAWSUIT ABOUT FOOD. NANCY CHRISNENSEN ALSO WROTE ME UP FOR ASSAULT WHICH WAS FABRICATED. I WAS NOT GIVEN A FAIR, IMPARTIAL HEARING, ON THE H-7 I WAS WRITTEN UP FOR FOR FILING GRIEVANCES I PLEAD NOT GUILTY AND ASKED FOR A DHO HEARING BUT WAS NOT GRANTED ONE. DITMINSON TOLD ME THE WRITE-UP WOULD BE DISMISSED AND LET ME OUT OF THE SHU. I LATER FOUND OUT THEY CLASSIFIED ME AS GUILTY EVEN THO I ASKED FOR A DHO HEARING, I FILED GRIEVANCES ON THIS.

## COUNT II

1. The following constitutional or other federal right has been violated by the Defendant(s): EIGHTH AMENDMENT.

2. Count II involves: (Check **only one**; if your claim involves more than one issue, each issued should be stated in a different count)
- |                                                             |                                                        |                                               |
|-------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Medical care                       | <input type="checkbox"/> Access to the court           | <input type="checkbox"/> Mail                 |
| <input type="checkbox"/> Disciplinary proceedings           | <input type="checkbox"/> Retaliation                   | <input type="checkbox"/> Exercise of religion |
| <input type="checkbox"/> Property                           | <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety     |
| <input checked="" type="checkbox"/> Other: <u>NUTRITION</u> |                                                        |                                               |

3. **Supporting Facts:** (State as briefly as possible the FACTS supporting Count II. Describe exactly what each Defendant did or did not do to violate your rights. State the facts clearly in your own words without citing legal authority or arguments).

I LOST 21 POUNDS IN 14 DAYS WHEN HELD IN THE SHU BECAUSE I WAS NOT BEING BROUGHT COMPLETE MEALS BY STAFF I COMPLAINED TO GRIESMAN, PECHOUS, GERRIE BERCH, BARNETCHE, MARJAMA, WINTERS, MULLINS, HUNSCHER AND SEVERAL LIEUTENANTS AND SENT KINES TO THE SUMMIT KITCHEN SUPERVISOR ABOUT INAPPROPRIATE MEALS WITH MOST ITEMS MISSING OR VERY SMALL PORTIONS. NOTHING WAS DONE FOR SEVERAL WEEKS. I SPOKE TO SETH HUBBES ABOUT THIS SEVERAL TIMES AND FILED GRIEVANCES BUT HE DID NOTHING TO CHANGE WHAT WAS HAPPENING. THERE WAS INADEQUATE NUTRITION THROUGH THE LACK OF CALORIES CAUSED BY MISSING FOOD. CALORIES WERE ONLY 500-1000 CALORIES PER DAY.

4. **Injury:** (State how you have been injured by the actions or inactions of the Defendant(s)).

I LOST 21 POUNDS IN 14 DAYS, HUNGER PAINS, LOSS OF SLEEP, MENTAL ANGUISH, WEAKNESS, FATIGUE, MUSCLE ATROPHY.

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Count II? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Count II to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief to the highest level, briefly explain why you did not. \_\_\_\_\_



### COUNT III

1. The following constitutional or other federal right has been violated by the Defendant(s): \_\_\_\_\_

2. Count III involves: (Check **only one**; if your claim involves more than one issue, each issued should be stated in a different count)

<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Medical care	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Mail
<input type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Property
<input type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____		

3. **Supporting Facts:** (State as briefly as possible the FACTS supporting Count III. Describe exactly what each Defendant did or did not do to violate your rights. State the facts clearly in your own words without citing legal authority or arguments).

4. **Injury:** (State how you have been injured by the actions or inactions of the Defendant(s)).

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Count III? ☐ Yes ☐ No
- Did you appeal your request for relief on Count III to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief to the highest level, briefly explain why you did not. \_\_\_\_\_

(If you assert more than three Counts, answer the questions listed above for each additional Count on a separate page.)

#### D. REQUEST FOR RELIEF

State briefly what you want the Court to do for you.

150,000 IN COMPENSATORY DAMAGES FOR NOT BEING ABLE  
TO WORK A PREMIUM JOB, 100,000 IN PUNITIVE  
DAMAGES, TERMINATION OF EMPLOYEES, A PUBLIC  
APOLOGY, FW THE NUTRITION SITUATION INJUNCTIVE AND  
DECLARATORY RELIEF, JOB MAKING AT LEAST MINIMUM WAGE  
AS I COULDVE HAD FOR THE LAST THREE YEARS IF NOT FOR THE  
RETALIATION

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 31, 2022  
DATE



SIGNATURE OF PLAINTIFF

(Name and title or paralegal, legal assistant, or  
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

#### ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If needed, you may attach additional pages. The form, however, must be completely filled in to the extent applicable.

MARK CHRISTIAN #35285  
DEPARTMENT OF CORRECTIONS  
STATE PENITENTIARY  
P.O. Box 5911  
Sioux Falls, SD 57117-5911  
*Address Service Requested*

NEOPOST  
06/02/2022  
US POSTAGE \$001.56<sup>0</sup>

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